Appl. No. 09/829,171
Amdt. dated October 16, 2008
Reply to Advisory Action mailed August 26, 2008

PATENT
Attorney Docket No. 26978A-006610US

REMARKS/ARGUMENTS

Claims 1, 3, 5, 9, 10, 12-16, 19, 20, and 24-38 are pending. The Final Office Action rejects claims 1, 9, 10, 12-16, 20, 26, 27, 30, 35, and 36 under 35 U.S.C. §103(a) as unpatentable over DiFilippo (U.S. 6,044,364), and rejects claims 3, 5, 19, 23, 25, 28, 29, 31-34, 37, and 38 as unpatentable over DiFilippo in view of Eddy (U.S. 5,812,400). The Advisory Action maintains all the rejections set forth in the Final Office Action. These rejections are respectfully traversed.

DiFilipo Fails to Disclose a Present Physical Location as Recited in the Claims.

To support a *prima facie* case of obviousness, the Examiner must demonstrate that each feature recited in the claims is found in the cited art, or provide explicit reasoning to support the finding that the features would be obvious to one of skill in the art at the time the invention was made. *See* M.P.E.P. §§ 2141, 2142. The Office Action asserts that DiFilipo and Edy disclose each and every feature recited in the claims. Applicants disagree.

Claim 1 recites, *inter alia*,

> transmitting from the postal device to a remote server **present physical location** information of the postal device;
> determining, at the remote server, a **present postal zip code** representing a physical location of the postal device **based on the present physical location information**; and
> comparing, at the remote server, the **present postal zip code** representing the present physical location of the postal device with a **previously stored zip code representing a previously stored location** of the postal device.

The other independent claims recite similar features, including the present physical location of a postal device, the present postal zip code of the postal device, a previously-stored zip code, and/or the actual present location of a device. The Examiner asserts that DiFilipo discloses determining a present location because in the disclosed system "a zip code is checked." *See, e.g.,* Advisory Action, p. 2. However, this is insufficient to support a *prima facie* case of obviousness, since the claims include more features than merely checking a zip code.

DiFilipo's system assigns a zip code to devices based on their serial numbers. *E.g.,* Col. 7:34-38. The system later verifies that the zip code assigned to a portable vault matches the zip

code assigned to a printhead module. Col. 5:50-6:2. If one or the other of the vault and the

printhead do not have a zip code set, one is downloaded from a server. Col. 7:66-8:45. Notably,

the server retrieves the zip code <u>based on the serial number</u> of the vault or printhead. Col. 8:8-

10; 8:26-35. There is no suggestion that DiFilipo's system ever determines the present physical

location of the vault or the printhead; it merely looks up a stored zip code based on a serial

number. Neither the stored zip code or the serial number is a present physical location. Thus,

DiFilipo fails to disclose a present physical location as recited in the claims. Eddy similarly only

describes comparing two stored zip codes (*e.g.*, col. 11:19-37), and is not applied so as to remedy

the deficiencies of DiFilipo. Therefore, the independent claims are allowable over the cited art.

The remaining claims are allowable at least by virtue of their dependence from the allowable

independent claims.

Example

The difference between DiFilipo's system and the claimed combinations of a present

physical location, a present zip code, and a previously stored zip code may be explained by way

of a specific example. In DiFilipo's system, a portable vault and a printhead may be assigned to

the 20005 zip code. A data center records the serial numbers of the vault and the printhead, and

associates each one with the 20005 zip code. Each of the vault and the printhead also stores a

flag indicating either that no zip code is set, or that the zip code is set to 20005. When the vault

is placed in the printhead, the stored zip codes are compared and, if they match, the system

functions normally. If either flag indicates no zip code is set, the vault or printhead sends its

serial number to the data center, which looks up the zip code and sends it back to the

vault/printhead, at which point the device operates normally. If the vault and printhead have

different zip codes set, the device will not operate.

DiFilipo's system will operate in this fashion <u>regardless</u> of where the vault and printhead

are <u>actually, physically</u> located. For example, if both items are <u>physically </u>moved to the 22313

zip code, each of the vault and the printhead will still have its flag set to the 20005 zip code, and

the system will operate normally. Similarly, if either item has no zip code set, the data center

will provide the stored 20005 zip code to the item (because moving the item to the new zip code doesn't change the stored record at the data center), and the system will still operate normally.

In contrast, claim 1 determines a postal device's **present postal zip code** from its **present physical location**. If the present postal zip code doesn't match a previously stored postal zip code, the postal device may be inhibited from using funds stored in the postal device. For example, a postal device according to claim 1 may be assigned to operate in the 20005 zip code. This zip code is then stored at the remote server. If the postal device is physically moved to 22313, the present physical location of the device will indicate that the present postal zip code is 22313, not 20005. Thus, the postal device's present postal zip code (22313) will not match the previously stored postal zip code (20005), and the device may be inhibited from using funds. This operation is in different from that of DiFilipo's system, which operates the same regardless of the zip code(s) in which the vault and printhead are actually, physically located.

Thus, as explained above and as illustrated by this example, DiFilipo's description of comparing stored zip codes is not a disclosure of determining a present physical location or a present postal zip code, or the other similar features recited in the claims. Applicants note that the foregoing explanation is provided by way of example only, and is not intended to limit the claims to the specific features or configurations described therein.

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CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 202-481-9900.

The Commissioner is authorized to charge any fees due or credit any overpayment to the deposit account of Townsend and Townsend and Crew LLP, Deposit Account No. 20-1430.

Respectfully submitted,

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DATE: October 16, 2008

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